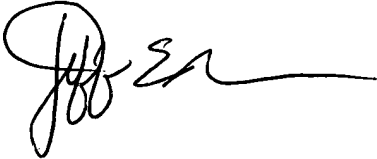


REMARKS

The Applicant respectfully requests consideration of the present application as amended herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'JE' followed by a stylized flourish.

Jeff Eder, Practitioner Number 52,849

Dated: May 20, 2003

Marked up original:

1. (amended) A computer readable medium having sequences of instructions stored therein, which when executed cause the processor in a computer to perform a ~~metric selection~~quantification method, comprising:

~~integrating raw and transformed~~using data from a variety of systems ~~into predictive models that identify performance indicators that reflect~~sources to quantify the impact of each ~~element~~elements of value on the ~~aspects of enterprise~~ financial performance and value of one or more segments of an enterprise.

2. (amended) The computer readable medium of claim 1 wherein the ~~segments~~elements of value are selected from the group consisting of ~~current operation, real options~~alliances, brands, channels, customers, customer relationships, employees, intellectual property, partnerships, processes, production equipment, vendors and market sentimentvendor relationships.

3. ~~(amended) The computer implemented method of claim 2 where the current operation segment contains components of value selected from the group consisting of revenue, expense and capital change.~~(amended) The computer readable medium of claim 1 wherein the variety of data sources includes advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, estimating systems, intellectual property management systems, process management systems, supply chain management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, purchasing systems, web site systems, the Internet, external databases, user input and combinations thereof.

4. ~~(amended) The computer readable medium of claim 1 wherein the elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes, production equipment and vendors.~~(amended) The computer readable medium of claim 1 where an enterprise is defined by a single product, a group of products, a division or an entire company.

5. ~~(amended) The computer readable medium of claim 1 wherein data is obtained from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems.~~

(amended) The computer readable medium of claim 1 wherein the aspects of enterprise financial performance include one or more of the following revenue, expense, capital change, current operation value, real option value, market sentiment value and business value.

6. ~~(amended) The computer readable medium of claim 1 wherein an enterprise is defined by a single product, a group of products, a division or an entire company.~~
(amended) The computer readable medium of claim 1 where the elements of value are comprised of items that may be grouped into sub-elements of value for more detailed analysis.

7. (amended) The computer readable medium of claim 1 wherein the performance indicators are selected from the group consisting of totals, rolling totals, ratios, rates of change, averages, patterns, rolling averages, trends data includes historical data and time lagged trends derived from numeric and date fields in the enterprise data, item variables and composite variables forecast data.

8. (amended) The computer readable medium of claim 1 wherein the identified performance indicators reflect net element impact on one or more enterprise segments data includes transaction data, geospatial data, text data and the other elements of value linkage data.

9. ~~(amended) The computer readable medium of claim 1 wherein clustering can optionally be used to refine performance indicator development by segmenting the data into different time periods or dividing one or more of the elements of value into two or more sub-elements of value.~~
(amended) The computer readable medium of claim 1 where the element quantifications are selected from the group consisting of item

performance indicators, composite variables; vectors, predictive models, element rankings, option discount rates, valuations and combinations thereof.

10. (amended) The computer readable medium of claim 1 ~~wherein~~ where the predictive models are from the group consisting of item performance indicators reflect element impact on one or more components of neural networks; regression trees (CART); generalized autoregressive conditional heteroskedasticity (GARCH); projection pursuit regression; generalized additive model (GAM); redundant regression network; rough set analysis; Naïve Bayes Regression; linear regression; support vector method; stepwise regression; Tetrad; maximum message length; LaGrange; Bayesian and path analysis value.

11. (amended) A ~~metric selection system, comprising:~~

~~computers connected by a network each with a processor having circuitry to execute instructions; a storage device available to each processor with sequences~~ The computer readable medium of instructions stored therein, which when executed cause claim 9 where item performance indicators are selected from the processors to:

~~integrate raw and transformed data from a variety~~ group consisting of systems into predictive models that identify performance indicators that reflect the impact trends, summaries, time lagged values, rates of each element of value on the financial performance and value of one or more segments of an enterprise change, patterns, geospatial measures, linkage data, text counts and averages.

12. (amended) ~~The system of claim 11 wherein data is obtained from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems.~~ (amended) The computer readable medium of claim 9 wherein item performance indicators are selected using predictive models from the group consisting of neural networks; regression models, regression trees; generalized autoregressive conditional heteroskedasticity (GARCH); projection pursuit regression; generalized additive model (GAM); redundant regression network; rough-set

analysis; Naïve Bayes Regression, linear regression; support vector computer readable medium, stepwise regression and multivalent models.

13. ~~(amended) A computer readable medium having sequences of instructions stored therein, which when executed cause the processors in a plurality of computers that have been connected by a network to perform a value management method,~~
comprising: (amended) The computer readable medium of claim 9 wherein composite variables are mathematical or logical combinations of causal item performance indicators and item variables by element.

~~integrating raw and transformed data from a variety of systems into models that quantify the impact of elements of value on the other elements of value and one or more segments of an enterprise;~~

~~calculating the value of the one or more segments;~~

~~combining the quantified element impacts with the segment valuations to determine the value of the elements of value to a value of the enterprise; and~~

~~reporting the value of the elements of value and the enterprise using a paper document or electronic display.~~

14. (amended) The computer readable medium of claim 139 wherein the segments/vectors summarize causal item performance indicators, item variables and composite variables by element of value ~~are selected from the group consisting of current operation, real options and market sentiment.~~

15. (amended) The computer readable medium of claim 14 ~~where the current operation segment of value contains components of value selected~~9 wherein vectors are created using models from the group consisting of revenue, expense Tetrad, Minimum Message Length, LaGrange, Bayesian and capital change path analysis.

16. ~~(amended) The computer readable medium of claim 13 wherein the elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes, production equipment and vendors.~~
(amended) The method of claim 9 wherein data envelopment analysis (DEA) analysis is used to identify the relative ranking of the enterprise elements of value for the value relevant indicators identified by the business value predictive models.

17. ~~(amended) The computer readable medium of claim 13 wherein data is obtained from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems.~~ (amended) The method of claim 9 wherein the real option discount rates are a function of the relative ranking of the enterprise elements of value that support the real option.

18. ~~(amended) The computer readable medium of claim 13 wherein an enterprise is defined the predictive models identify the relative contribution by a single product, a group element of products, a division or an entire company value to the components of value and business value.~~

19. ~~(amended) The computer readable medium of claim 13 wherein~~ 18 where the value of the enterprise is market value predictive models use item performance indicators, composite variables or vectors by element as inputs.

20. ~~(amended) The computer readable medium of claim 13 wherein at least a portion of the data type of predictive model input that is from used in a model is determined in part by the Internet and external databases~~ level of interaction between the elements of value.

21. ~~(amended) The computer readable medium of claim 13 wherein clustering can optionally be used to refine element and factor valuations by segmenting the data into different time periods or dividing an element of value into two or more sub-elements of value.~~ (amended) The computer readable medium of claim 18 where the predictive models are selected from the group consisting of neural networks; regression models, regression trees; generalized autoregressive conditional heteroskedasticity (GARCH), projection pursuit regression; generalized additive model (GAM); redundant regression network; rough-set analysis; Naïve Bayes Regression, linear regression; support vector computer readable medium, stepwise regression and multivalent models.

22. (amended) ~~The computer readable medium of claim 4319 wherein predictive models from the group consisting of~~contribution by element of neural networks; regression trees; ~~generalized autoregressive conditional heteroskedasticity (GARCH); projection pursuit regression; generalized additive model (GAM); redundant regression network; rough set analysis; Naïve Bayes Regression; linear regression; support vector method; stepwise regression; Tetrad; maximum message length; LaGrange; Bayesian and path analysis are used~~value to determine a component of value or business value is determined by the value impact net of the direct element impact and the element impact on the other elements of value and market value factors.

23. (amended) ~~The computer readable medium of claim 439 wherein a paper document or an electronic display is used to report the value of~~valuations identify the elements~~contributions by element of value and to the enterprise~~group consisting of current operation value, real option value, market sentiment value, business value and combinations thereof.

24. (amended) ~~A~~The computer readable medium of claim 23 wherein the current operation value management system, comprising:

~~computers connected by a network each with a processor having circuitry to execute instructions; a storage device available to each processor with sequences of instructions stored therein, which when executed cause the processors to:~~

~~integrate raw and transformed data from a variety of~~market sentiment value are calculated using the company cost of systems into predictive models that quantify the impact of elements of value on the segments of value and the other elements of value of an enterprise;

~~combine the quantified element impacts with segment valuations to determine the value of the elements of value to a value of the enterprise; and~~

~~report the value of the elements of value and the enterprise~~capital.

25. (amended) ~~The system of claim 24 wherein the elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes, production equipment and vendors.~~(amended) The computer readable medium of claim 23 wherein the enterprise may not have a current operation, real option or market sentiment segment to value.

26. (amended) ~~A~~The computer readable medium having sequences of instructions stored therein, which when executed cause~~claim 23 wherein the processor in a computer~~business value by element of value is calculated by summing the contributions by element to perform a fiscal method, comprising:

~~integrating raw~~the combination of current operation, real option and transformed data from a variety of systems into models~~market sentiment values that determine the value of the intangible elements of value and real options to a value of an~~are present in the enterprise; and

~~reporting the value of the intangible elements of value, real options and the enterprise using a paper document or an electronic display.~~

27. (amended) ~~The computer readable medium of claim 26 wherein the intangible elements of value are selected from the group consisting of relationships, brands, channels, customers, employees, intellectual property, partners, processes and vendors.~~(amended) The computer readable medium of claim 23 where the current operation segment of value is comprised of a revenue component of value, optional expense components of value and optional capital change components of value.

28. (amended) ~~The computer readable medium of claim 26 wherein data is obtained from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems and purchasing systems.~~(amended) The computer readable medium of claim 23 wherein the current operation value is calculated by summing the product of the net contribution by element to the components of value identified by component predictive models and the capitalized value of the components of value that are present in the enterprise current operation.

29. (amended) ~~The computer readable medium of claim 26 wherein an enterprise is defined by contributions by a single product, a group of products, a division or an entire company element to real option values are determined by:~~

calculating the difference between the real option value calculated using the company cost of capital and the value calculated using the discount rate determined on the basis of relative element strength; and
assigning the value difference to the different elements of value based on their relative contribution to the difference in the two discount rates.

30. (amended) ~~The computer readable medium of claim 26 wherein the method for determining the value of the elements of value to the enterprise is determined in part by the level of interaction between elements of value.~~ (amended) The computer readable medium of claim 9 wherein contributions by element to market sentiment value are determined by subtracting any contributions by element to current operation value and real option value from the net contribution to business value identified by the business value predictive model.

31. (amended) ~~The computer readable medium of claim 26 wherein predictive models from the group consisting of neural networks; regression trees; generalized autoregressive conditional heteroskedasticity (GARCH); projection pursuit regression; generalized additive model (GAM); redundant regression network; rough set analysis; Naïve Bayes Regression; linear regression; support vector method; stepwise regression; Tetrad; maximum message length; LaGrange; Bayesian and path analysis are used to determine the value of the elements of value.~~ (amended) The computer readable medium of claim 1 where the element quantifications are continuously calculated for a specified point in time within a sequential series of points in time.

32. (amended) ~~The computer readable medium of claim 26 wherein the real options intangible element quantifications are valued optionally reported using dynamic programming, neural networks, a paper document or binomial algorithm.~~ electronic display.

33. (amended) ~~The computer readable medium of claim 26 wherein the discount rate used to value the real options is a function of the relative strength of the elements of~~

~~value causal to changes in the value of enterprise common stock.~~(amended) A quantification system, comprising:

a computer with a processor having circuitry to execute instructions; a storage device available to said processor with sequences of instructions stored therein, which when executed cause the processor to:

use data from a variety of sources to quantify the impact of intangible elements of value on aspects of enterprise financial performance.

34. (amended) ~~The computer readable medium of claim 26 wherein the value of the intangible elements of value reflect net element impact on one or more enterprise segments and the other elements of value.~~(amended) A fiscal management network, comprising:

a plurality of computers connected by a network each with a processor having circuitry to execute instructions; a storage device available to each processor with sequences of instructions stored therein, which when executed cause the processors to:

integrate raw and transformed data from a variety of systems into models that determine the value of the current operation, real options and market sentiment segments of enterprise value by element of value; and
report the value of the elements of value, segments of value and the enterprise.

35. (amended) A fiscal management system, comprising:

a computer with a processor having circuitry to execute instructions; a storage device available to said processor with sequences of instructions stored therein, which when executed cause the processor to:

integrate raw and transformed data from a variety of systems into models that determine the value of the ~~elements of value and current operation,~~ real options ~~to a value of an~~ and market sentiment segments of enterprise value by element of value; and

report the value of the elements of value, ~~real options~~ segments of value and the enterprise.